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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROY NELSON III, successor-in-Interest to
Decedent ROY NELSON; ORNELL
STEVENS, individually,

Plaintiffs,

v.

CITY OF HAYWARD, a municipal
corporation; and DOES 1-50, inclusive,
individually and in their official capacity as
police officers for the City of Hayward

Defendants.

Case No.: 3:16-cv-7222-SK

**PLAINTIFF'S ATTORNEY PATRICK
BUELNA'S DECLARATION IN
SUPPORT OF PLAINTIFFS' MOTION
FOR PARTIAL SUMMARY
ADJUDICATION**

Date: December 31, 2018

I, PATRICK M. BUELNA, declare:

1. I am the attorney of record for Plaintiff in this action. I am licensed to practice in the state of California and the Northern District of California. I have personal knowledge of the facts contained in this declaration, and if called upon to testify I could and would testify competently as to the truth of the facts contained herein.

- 1 2. I have attached a true and correct copy of portions of Defendant Hall's deposition as
2 **Exhibit 1.**
- 3 3. I have attached a true and correct copy of portions of Defendant McKee's deposition as
4 **Exhibit 2.**
- 5 4. I have attached a true and correct copy of portions of Defendant McCrea's deposition as
6 **Exhibit 3. .**
- 7 5. I have attached a true and correct copy of Defendant McCrea's Body Worn Camera
8 disclosed to Plaintiffs as 00545 "5150(2)" and attached as **Exhibit 4.**
- 9 6. I have attached a true and correct copy of Defendant Hall's Body Worn Camera disclosed
10 to Plaintiffs as 00545 "In_Custody_Death(5)" and attached as **Exhibit 5.**
- 11 7. I have attached a true and correct copy of Defendant Shannon's Body Worn Camera
12 disclosed to Plaintiffs as 00545 "5150_death" and attached as **Exhibit 6.**
- 13 8. I have attached a true and correct copy of the WRAP Device Manual disclosed to
14 Defendants as PLTF_000004-000017 attached as **Exhibit 7.**
- 15 9. I have attached a true and correct copy of portions of Ofc. Wilson's deposition designated
16 as the person most knowledgeable in regards to the Hayward Police Department's WRAP
17 Device Training as **Exhibit 8.**
- 18 10. I have attached a true and correct copy of Defendant Shannon's Body Worn Camera fram
19 photo captured at 8:56 disclosed to Plaintiffs as 00545 "5150_death" and attached as
20 **Exhibit 9.**
- 21 11. I have attached a true and correct copy of the dispatch audio disclosed to Plaintiffs as
22 00546 "15-99780 Com 1" and attached as **Exhibit 10.**

1 12. I have attached a true and correct copy of portions of the Computer Automated Dispatch
2 disclosed to Plaintiffs as 000181-182 and attached as **Exhibit 11**.

3 13. I have attached of true and correct copy of Defendant McCrea's Body Worn Camera
4 disclosed to Plaintiffs as 00545 "5150(2)" at 10:58 and attached as **Exhibit 12**.

5 14. I have attached of true and correct copy of Defendant McCrea's Body Worn Camera
6 disclosed to Plaintiffs as 00545 "5150(2)" at 13:26 and attached as **Exhibit 13**.

7 15. I have attached of true and correct copy of Defendant McCrea's Body Worn Camera
8 disclosed to Plaintiffs as 00545 "5150(2)" at 13:53 and attached as **Exhibit 14**.

9 16. I have attached of true and correct copy of Defendant Padavana's Body Worn Camera
10 disclosed to Plaintiffs as 00545 "5150_WI(1)" at 6:56 and attached as **Exhibit 15**.

11 17. I have attached a true and correct copy of portions of Decedent Roy Nelson II's Medical
12 Records produced to the parties from St. Rose's Medical Center and attached as **Exhibit**
13 **16**.

14 18. I attached of true and correct copy of Defendant Padavana's Body Worn Camera
15 disclosed to Plaintiffs as 00545 "5150_WI(1)" and attached as as **Exhibit 17**.

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21 I declare under the penalty of perjury under the laws of the State of California that the foregoing
22 is true and correct.

23
24 Dated: December 31, 2018

THE LAW OFFICES OF JOHN L. BURRIS

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26
27 /s/ Patrick M. Buelna
28 Patrick M. Buelna
Attorney for Plaintiff